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TRUMP ADMINISTRATION CONSIDERS USING CRACK HOUSE STATUTE AGAINST HARM REDUCTION POLICIES

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By **Lone Star Standard**
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Advocates of the Housing First approach are expressing concerns about the federal homelessness policy direction under the second Trump Administration. Regulatory changes are anticipated, with a focus on prioritizing treatment and sobriety over Housing First policies.

The U.S. Interagency Council on Homelessness closed earlier this year, signaling possible restructuring of the U.S. Department of Housing and Urban Development's (HUD) homelessness programs. The administration is expected to favor programs that mandate treatment and sobriety.

A key tool available for immediate change is the federal Crack House Statute, enacted in response to the 1980s crack epidemic. This statute allows for prosecution of landlords and businesses facilitating drug use, with penalties up to $2 million in fines and 20 years in prison.

This statute could be used by the Trump Administration to target harm reduction policies within Housing First programs. Harm reduction focuses on reducing stigma around drug use and eliminating

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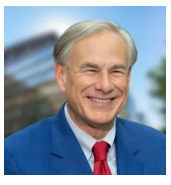

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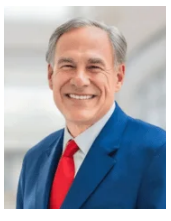

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prohibitions, which some view as dangerous despite evidence supporting specific practices.

Housing First provides housing without requiring sobriety or engagement with services, which may violate the Crack House Statute if drug use occurs in these units without intervention from providers. Providers failing to address tenant complaints about drug activity might face prosecution.

State laws also come into play, such as Utah's law against "drug-involved premises," penalizing facilities allowing drug use or manufacturing. Other states might follow suit by establishing drug-free homeless service zones modeled after school zone policies.

The enforcement of laws against permissive environments for drug use is seen as crucial due to high overdose rates among homeless populations. A study found a higher death rate in Housing First participants compared to a control group, underscoring concerns about current harm reduction strategies.

Prosecutors are urged to be vigilant against policies like Housing First that may jeopardize vulnerable populations' safety by not adequately addressing drug use issues.

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